

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JASMINE TORO, et al.,

Plaintiff,

-against-

GMT GAMES, LLC,

Defendant.

Case No. 1:22-cv-06011 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

The Court is in receipt of the parties' joint letter, dated October 24, 2022, filed in response to the Court's September 22, 2022 and October 13, 2022 Orders. ECF No. 10. In that letter, Defendant notes that it intends to respond to the Complaint by October 28, 2022.

Accordingly, IT IS HEREBY ORDERED that Defendant shall file a request to file a late answer, by letter motion not to exceed three (3) pages, no later than **October 28, 2022**. Plaintiff shall respond to that request no later than **November 1, 2022**.


Additionally, IT IS HEREBY ORDERED that, within thirty (30) days of that date of this Order, the parties must meet and confer for at least one hour in a good-faith attempt to settle this action. In their discussions, the parties should consider whether plaintiff has satisfied the threshold requirement of standing. *See Calcano v. Swarovski N. Am. Ltd.*, 36 F.4th 68, 77–78 (2d Cir. 2022); *Harty v. W. Point Realty, Inc.*, 28 F.4th 435, 443–44 (2d Cir. 2022). To the extent the parties are unable to settle the case themselves, they must also discuss whether further settlement discussions through the district's court-annexed mediation program or before a magistrate judge would be productive at this time.

IT IS FURTHER ORDERED that within fifteen (15) additional days (*i.e.*, within forty-five (45) days of the date of this Order), the parties must submit a joint letter informing the Court whether the parties have settled. If the parties do not reach a settlement, the parties shall in the

joint letter request that the Court (1) refer the case to mediation or a magistrate judge for a settlement conference (and indicate a preference between the two options), or (2) proceed with an initial status conference.

Dated: October 24, 2022
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge